

Practitioner's Docket No. LBNL IB-1632

PATENT

JAN 23 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Ronald P. Reade, Paul H. Berdahl, and Richard E. Russo

Serial No.: 09/739,391

Group Art Unit: Unknown

Filed: December 15, 2000

Examiner: Unknown

For: PARTICLE BEAM BIAxIAL ORIENTATION OF A SUBSTRATE FOR EPITAXIAL CRYSTAL GROWTH

Assistant Commissioner for Patents
Washington, D.C. 20231

Date: January 19, 2001

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

- ☒ WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION
(37 C.F.R. 1.97(b))
- ☐ BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE
(37 C.F.R. 1.97(c))
- ☐ AFTER MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE BUT BEFORE
PAYMENT OF ISSUE FEE (37 C.F.R. 1.97(d))

Pursuant to 37 CFR 1.56, Applicants hereby submit the references listed on the attached form PTO-1449 (modified). Copies of each of the references are enclosed.

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: January 19, 2001

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

John P. Taylor
Signature
John P. Taylor
(Type or print name of person certifying)

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I. TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

- A. ☒ THIS INFORMATION DISCLOSURE STATEMENT IS SUBMITTED WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b)).

The information disclosure statement transmitted herewith is being filed:

- ☒ (1) Within three months of the filing date of a national application.
- ☐ (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- ☐ (3) Before the mailing date of a first Office Action on the merits.
- ☐ (4) To the best of the undersigned's knowledge, the information disclosure statement submitted herewith is being filed before the mailing date of a first Office action on the merits under 37 C.F.R. 1.97(b)(3). However, in the event that the USPTO has mailed an Office Action not yet received by the undersigned, a statement under 37 C.F.R. 1.97(e) is enclosed, since the disclosures submitted herewith were received by Applicants less than three months prior to the mailing date of this submittal.

- B. ☐ THIS INFORMATION DISCLOSURE STATEMENT IS SUBMITTED BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 C.F.R. 1.97(c)).

The information disclosure statement transmitted herewith is being filed before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, and is accompanied by either:

- ☐ (1) a statement as specified in 37 C.F.R. 1.97(e).
- ☐ (2) the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$240.00).

- C. ☐ THIS INFORMATION DISCLOSURE STATEMENT IS SUBMITTED AFTER MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE BUT BEFORE PAYMENT OF ISSUE FEE (37 C.F.R. 1.97(d)).

The information disclosure statement transmitted herewith is being filed *after* a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

In accordance with the requirements of 37 C.F.R. 1.97(d):

- ☐ (1) Accompanying this transmittal is a statement as specified in 37 C.F.R. 1.97(e).
- ☐ (2) Applicant hereby petitions for the consideration of the accompanying information disclosure statement under 37 C.F.R. 1.97(d)(2).
- ☐ (3) Applicant submits the petition fee set forth in § 1.17(i) (\$130.00).

II. ☐ **STATEMENT FOR INFORMATION DISCLOSURE UNDER 37 C.F.R. § 1.97(e)**

I, the person(s) signing below state:

- ☐ (1) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(1).

OR

- ☐ (2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(2).

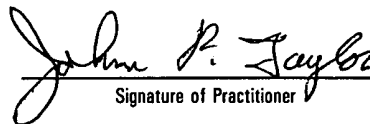
III. FEE DUE

- ☒ No Fee due under 37 C.F.R. 1.97(b).
- ☐ No Fee due under 37 C.F.R. 1.97(c).
- ☐ Fee under 37 C.F.R. 1.97(c) \$240.00 (37 C.F.R. 1.17(p)).
- ☐ Petition fee under 37 C.F.R. 1.97(d) \$130.00 (37 C.F.R. 1.17(i)).
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IV. METHOD OF PAYMENT OF FEE

- ☐ Attached is a check for \$_____.
- ☐ Charge Account 20-0092 \$_____.

If any additional fees are due, please charge Account 20-0092.


Signature of Practitioner

John P. Taylor
(Type or print name of practitioner)

Attorney for Applicants
Registration No. 22,369
Telephone No. (909) 699-7551

Mailing Address:

John P. Taylor
Post Office Box 1598
Temecula, California 92593-1598